## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

| LANDSCAPE CONSULTANTS OF TEXAS, INC., and METROPOLITAN LANDSCAPE MANAGEMENT, INC.,  Plaintiff(s)  v.   | ) ) ) ) Civil Action No. 4:23-cv-3516 |  |  |  |  |
|--|---------------------------------------|--|--|--|--|
| CITY OF HOUSTON, TEXAS, and MIDTOWN MANAGEMENT DISTRICT  | )<br>)                                |  |  |  |  |
| Defendant(s)   | )<br>)<br>)                           |  |  |  |  |
| SUMMONS IN A CIVIL ACTION  |                                       |  |  |  |  |
| To: (Defendant's name and address) Midtown Management District c/o Matt Thibodeaux Executive Director of Midtown Houston 410 Pierce Street, Suite 355 Houston, TX 77002  |                                       |  |  |  |  |
| A lawsuit has been filed against you.  |                                       |  |  |  |  |
| Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:  Erin E. Wilcox  Pacific Legal Foundation 555 Capitol Mall Suite 1290 Sacramento, CA 95814 |                                       |  |  |  |  |
| If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.   |                                       |  |  |  |  |
|  | CLERK OF COURT                        |  |  |  |  |
| Date:  |                                       |  |  |  |  |
|  | Signature of Clerk or Deputy Clerk    |  |  |  |  |

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Civil Action No. 4:23-cv-3516

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

| Was ra | This summons for (nan ceived by me on (date)   | ne of individual and title, if any)     |                                 |      |  |  |
|--------|--|---|---------------------------------|------|--|--|
| was ic | •  | ·                                       |                                 |      |  |  |
|        | ☐ I personally served the summons on the individual at (place)  on (date)  ; or  |   |                                 |      |  |  |
|        | ☐ I left the summens   | at the individual's residence or        |                                 |      |  |  |
|        | ☐ I left the summons at the individual's residence or usual place of abode with (name)  , a person of suitable age and discretion who resides there, |   |                                 |      |  |  |
|        | on (date)  | the individual's last known address; or | ,                               |      |  |  |
|        | ☐ I served the summons on (name of individual) , who designated by law to accept service of process on behalf of (name of organization)              |   |                                 |      |  |  |
|        | designated by law to t   | accept service of process on sen        | on (date)                       | ; or |  |  |
|        | ☐ I returned the sumn  | nons unexecuted because                 |                                 |      |  |  |
|        | ☐ Other (specify):   |   |                                 |      |  |  |
|        | My fees are \$   | for travel and \$                       | for services, for a total of \$ | 0.00 |  |  |
|        | I declare under penalty of perjury that this information is true.  |   |                                 |      |  |  |
| Date:  |  |   |                                 |      |  |  |
| Date.  |  |   | Server's signature              |      |  |  |
|        |  |   | Printed name and title          |      |  |  |
|        |  |   | Server's address                |      |  |  |

Additional information regarding attempted service, etc: